

## **REMARKS**

This communication is in response to the Office Action mailed on April 7, 2010. Applicants respectfully request entry of the above amendments and consideration of the following remarks prior to examination.

I. Amendments to the Claims

Claims 7-14 are withdrawn.

Claim 1 is amended to remove reference to a non-elected group.

Applicants reserve the right to pursue the cancelled subject matter in a continuing application.

No new matter has been added by the amendments.

II. Restriction Requirement

Applicants acknowledge that the Requirement for Restriction/Election mailed on November 25, 2009 is vacated (page 2 of Requirement for Restriction/Election mailed on April 7, 2010).

Group I: Claims 1-6 and 13-14 (in parts), drawn to a method of generating tethered extracellular domains of transmembrane proteins;

Group II: Claims 1, 4, 6, 7 and 11-13(in parts), drawn to a method of generating tethered intracellular domains of transmembrane proteins;

Group III: Claims 8-10, drawn to an expression vector comprising a 5' signal sequence, a purification epitope tag, a sequence coding for the extracellular domain of a membrane protein, and a 3' anchor sequence; and

Group IV: Claims 11-12, drawn to an expression vector comprising a 5' myristoylation encoding sequence, a sequence coding for the intracellular domain of a membrane protein, and a 3' purification sequence.

In response, Applicants elect Group I without traverse. It is Applicants' understanding that claims 1-6 read on the elected group.

### III. Election of Species

The Examiner re-iterated the requirement for an election of species for claims 4 and 5 as set forth in the Office action dated November, 2009. Specifically, for claim 4, an election as to a mammalian cell is required. For claim 5, an election as to a protein is required.

In response, for claim 4, Applicants elect CHO cells. For claim 5, Applicants elect epidermal growth factor. Claims 4 and 5 were amended in response to the earlier Office action. It is Applicants' understanding that claims 1-12 are encompassed by the elected species. The non-elected species are presented in claims 13-14 presented on December 28, 2009, which are withdrawn. Applicants note that claims 1-3 and 6-12 are generic. Upon the allowance of a generic claim, Applicants are entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 C.F.R. § 1.141.

### IV. Conclusion

Applicants believe that the present application is in condition for Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at 650-590-1939.

The Commissioner is authorized to charge the time extension fee to Deposit Account No. 50-4616. The Commissioner is hereby authorized to charge any additional fees deemed to be due with the filing of this communication to Deposit Account No. 50-4616.

Respectfully submitted,

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